

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In the Matter of  
ARBITRATION OF DISPUTES

between

THE TRUSTEES OF THE  
UNITE HERE NATIONAL RETIREMENT FUND,  
Petitioner,

and

RESISTFLAME ACQUISITION CORP.  
C/O KIESLING-HESS FINISHING CO.,  
Respondent.

**NOTICE OF PETITION**  
**07 Civ. 6469 (NRB)**

Sir(s):

**PLEASE TAKE NOTICE**, that upon the annexed Petition of Mark Schwartz, Esq., duly verified the 13<sup>th</sup> day of July 2007, and the accompanying Memorandum of Law, the undersigned will petition this Court, before the Honorable Naomi Reice Buchwald at the United States Courthouse, 500 Pearl Street, Courtroom 21A, New York, New York 10007, on the \_\_\_\_\_ day of \_\_\_\_\_ 2007, at \_\_\_\_\_ A.M., in the morning of that day, or as soon thereafter as counsel may be heard, for an order confirming the Arbitration Award of Dr. Philip Ross dated June 29, 2007, and granting the Petitioner judgment, in the amount of \$1,330.67, together with the interest on the principal amount from the date of the Arbitration Award to the date of the judgment, plus costs and such other and further relief as in the premises may be just.

Dated: August 10, 2007  
New York, New York

Yours, etc.



Mark Schwartz, Esq. – MS 0148  
Attorney for Petitioner  
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New York, New York 10003-9511  
(212) 539-5275

To: Resistflame Acquisition Corp.  
C/O Kiesling-Hess Finishing Co.  
300 West Bristol Street  
Philadelphia, Pennsylvania 19140